



Department of Defense **DIRECTIVE**

September 20, 1997
NUMBER 1340.16

USD (C)

SUBJECT : Former Spouse Payments from Retired Pay

References : (a) DoD Directive 1340.16, subject as above,
January 2, 1985 (hereby canceled)
(b) Section 1408 of title 10, United States Code
(c) DoD 7000.14-R, "Department of Defense Financial
Management Regulation (DoDFMR) " Volume 7B,
"Military Pay Policy and Procedures for Retired
Pay, " June 1995, authorized by DoD Instruction
7000.14, November 15, 1992

1. RE ISSUANCE AND PURPOSE

This Directive reissues reference (a) to update DoD policy, which establishes and authorizes direct payments to a former spouse from the retired pay of a member of the Uniformed Services in response to court -ordered alimony, child support, or division of property.

2. APPLICABILITY AND SCOPE

This Directive:

2.1. Applies to the Office of the Secretary of Defense, the Military Departments (including the Coast Guard when it is not operating as a Military Service with the Navy by agreement with the Department of Transportation) , the Commissioned Corps of the Public Health Service (PHS) and the National Oceanic and Atmospheric Administration (NOAA) , under agreements with the Departments of Health and Human Services and Commerce. The term "Uniformed Services, " as used herein, refers to the Army, Navy, Air Force, Marine Corps, Coast Guard, Commissioned Corps of the PHS, and the Commissioned Corps of the NOAA.

2.2. Covers members retired from the Active and Reserve components of the Uniformed Services who are subject to court orders awarding alimony, child support, or division of property.

3. POLICY

It is the policy of the Uniformed Services to honor a former spouse's request for direct payment from a given member's retired pay in enforcement of a court order that provides for alimony child support, or division of property, when the terms, conditions, and requirements of 10 U.S.C. 1408 and DoD 7000.14-R, Volume 7B (references (b) and (c)) are satisfied.

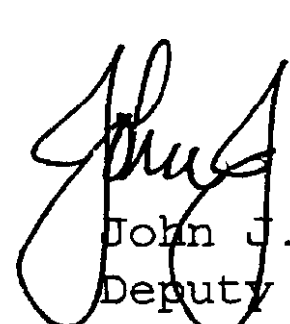
4. RESPONSIBILITIES

4.1. The Under Secretary of Defense (Comptroller) shall establish policy and procedures, provide guidance, coordinate changes with the Uniformed Services, and monitor the implementation of this Directive within the Department of Defense.

4.2. The Heads of the Uniformed Services shall implement this Directive.

5. EFFECTIVE DATE

This Directive is effective immediately.

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John J. Hamre
Deputy Secretary of
Defense